

## DECLARATION FOR PATENT APPLICATION

Docket Number **CPX-003.01**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**STEREoisomers of p-HYDROXY-MILNACIPRAN  
AND METHODS OF USE THEREOF**

the specification of which (check one)

☐ is attached hereto.☒ was filed on October 22, 2003, as United States Application Number 10/691,465, and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulation, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

☐ Yes ☐ No

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)
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☐ Yes ☐ No

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)
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I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States Provisional application(s) listed below.

<u>60/445,142</u> (Application Number)	<u>February 5, 2003</u> (Filing Date)
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<u>60/243,062</u> (Application Number)	<u>November 1, 2002</u> (Filing Date)
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<u>60/421,640</u> (Application Number)	<u>October 25, 2002</u> (Filing Date)
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I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

_____ (Application Number)	_____ (Filing Date)	_____ (Status: patented, pending, abandoned)
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I hereby appoint Beth E. Arnold, Reg. No. 35,430; Isabelle Clauss, Reg. No. 47,326; Stephen B. Deutsch, Reg. No. 46,663; William D. DeVaul Reg. No. 42,483; Michael J. Diverdi, Reg. No. 51620; Gillian M. Fenton, Reg. No. 36, 508; James Flaherty, Reg. No. 52,895; Robert W. Gauthier, Reg. No. 35,153; Jason Gish, Reg. No. 42,581; Dana M. Gordon, Reg. No. 44,719; Robert A. Greenberg, Reg. No. 44,133; Jennifer K. Holmes, Reg. No. 46,778; Scott E. Kamholz, Reg. No. 48,543; Theresa Kavanaugh, Reg. No. 50,356; Lauren T. Knapp, Reg. No. 45,605; W. Hugo Liepmann, Reg. No. 20,407; Kevin A. Oliver, Reg. No. 42,049; Jeffrey M. Sears, Reg. No. 48,440; Philip C. Swain, Reg. No. 32,376; Kingsley L. Taft, Reg. No. 43,946; John Quisel, Reg. No. 47,874; John L. Welch, Reg. No. 28,129 and Jennifer Zarutskie, Reg. No. 50,558 as attorneys/agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to Dana M. Gordon at telephone number (617) 832-1000.

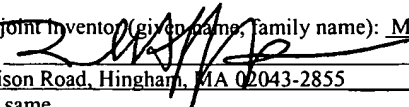
Address all correspondence to: **Customer Id No: 25181**Patent Group  
Foley Hoag LLP  
155 Seaport Boulevard  
Boston, MA. 02210

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): Roman V. RariyInventor's signature: Roman V. RariyDate: 12/08/2003Residence: 245 Kelton Street, #42, Allston, MA 02134Citizenship: Russian FederationPost Office Address: same☒ Additional inventors are being named separately numbered sheets attached hereto.

U.S. Serial No.: 10/691,465  
Atty. Docket No.: CPX-003.01

Full name of second joint inventor (given name, family name): Michael Heffernan

Inventor's signature: 

Date: 12/10/03

Residence: 41 Garrison Road, Hingham, MA 02043-2855

Citizenship: United States

Post Office Address: same

Full name of third joint inventor (given name, family name): Stephen L. Buchwald

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 25 Lancaster Road, Newton, MA 02558

Citizenship: United States

Post Office Address: same

Full name of fourth joint inventor (given name, family name): Timothy M. Swager

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 18 Copley Street, #2, Newton, MA 02458

Citizenship: United States

Post Office Address: same

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Inventor's signature: Stephen L. Buchwald

Date: 2/17/04

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Citizenship: United States

Post Office Address: same

Full name of fourth joint inventor (given name, family name): Timothy M. Swager

Inventor's signature: Timothy M. Swager

Date: 2/24/04

Residence: 18 Copley Street, #2, Newton, MA 02458

Citizenship: United States

Post Office Address: same